



WILLIAM S. HATFIELD  
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January 30, 2019

**VIA ECF**

Hon. Robert M. Levy, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: DMJ Associates, L.L.C., v. Carl A. Capasso, et al.**  
**Civil Action No. 97-CV-7285 (DLI) (RML)**

Dear Magistrate Judge Levy:

This firm is counsel to third-party defendant Rexam Beverage Can Company, and also serves as liaison counsel to a group of private third-party defendants (the "Gibbons JDG"). In compliance with Your Honor's Order dated January 26, 2019, this letter shall serve as a report on the status of the parties' efforts to meet all pre-conditions to the filing of a stipulation of dismissal of the above-referenced matter.

As reported in the letter filed on January 18, 2019 by counsel for third-party plaintiff Quanta Resources Corporation (Dkt. 1695), the settlement documents have been distributed to all parties for signature. The Gibbons JDG is in the process of collecting all signature pages from its individual members. The third-party plaintiffs are coordinating with the three unaffiliated third-party defendants and the federal third-party defendants. After consulting with counsel for both third-party plaintiffs, the parties propose to Your Honor that a further written report be filed no later than February 21, 2019 regarding the status of all pre-conditions for the filing of a stipulation of dismissal in this case. Please let us know if this schedule meets with Your Honor's approval.

Thank you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "W. Hatfield", is written over a large, light blue circular stamp or watermark.

William S. Hatfield  
Director

cc: All Counsel of Record